
STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



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TO: All County Assessors

FROM: Micah G. Vincent, Commissioner

RE: Mobile Home Matters

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The Department of Local Government Finance ("DLGF") has become aware of confusion among counties over the liability of land owners for taxes imposed on mobile homes located on their land.

Regarding **personal property** mobile homes (meaning dwellings that are factory-assembled, transportable, intended for year-round occupancy, exceed 35 feet in length, and are designed either for transportation on their own chassis or placement on a temporary foundation), IC 6-1.1-7-7 provides that "The owner of a mobile home on the assessment date of a year is liable for the taxes imposed upon the mobile home for that year." Moreover, IC 6-1.1-2-4(a) provides that:

A person holding, possessing, controlling, or occupying any personal property on the assessment date of a year is liable for the taxes imposed for that year on the property unless:

- (1) the person establishes that the property is being assessed and taxed in the name of the owner; or
- (2) the owner is liable for the taxes under a contract with that person.

For example, if on the assessment date Bob owns a piece of land and Phil owns a mobile home **assessed as personal property** that is located on Bob's land, Phil is liable for the taxes imposed on that mobile home. There is no joint liability with Bob. If on the assessment date Sam occupied Phil's mobile home, Sam would be liable for the taxes unless he establishes that the mobile home is being assessed and taxed in Phil's name or that Phil is liable for the taxes pursuant to a contract with Sam. There is no joint liability between Sam and Bob.

If a semi-annual installment of taxes imposed for a year upon a **personal property** mobile home is not paid on or before the due date, the same penalties apply that are imposed under IC 6-1.1-37-10 for the late payment of property taxes. In addition, the mobile home and the personal property of a delinquent taxpayer must be levied upon and sold in the same manner that a taxpayer's personal property is levied upon and sold under IC 6-1.1-23 for the non-payment of personal property taxes.

If a person owns a mobile home **assessed as real property** that is located on property owned by another person, IC 6-1.1-2-4(b) could be applicable. This statute provides, in part, that:

An owner on the assessment date of a year of real property that has an improvement or appurtenance that is:

(1) assessed as real property; and

(2) owned, held, possessed, controlled, or occupied on the assessment date of a year by a person other than the owner of the land;

is jointly liable for the taxes imposed for the year on the improvement or appurtenance with the person holding, possessing, controlling, or occupying the improvement or appurtenance on the assessment date.

For example, if on the assessment date John owns a piece of land and Bill occupies a mobile home **assessed as real property** that is located on John's land, John and Bill are jointly liable for the taxes imposed on the mobile home.

Note that IC 6-1.1-2-4(b) pertains only to improvements and appurtenances **assessed as real property**.

Contact Information

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